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09/312,823	05/17/1999	TOMISHIGE TAGUCHI		3090

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EXAMINER

PEYTON, TAMMARA R

ART UNIT PAPER NUMBER

2182

DATE MAILED: 02/05/2002

17

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/312,823

Applicant(s)

TAGUCHI, TOMISHIGE

Examiner

Tammara R Peyton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 9,28 and 150-229 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9,28 and 150-229 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

1. This Office Action is in response to Request for Reconsideration, filed on 11/21/01. Claims 9, 28, and 150-229 are pending for examination.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 28, and 150-229 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kiyozumi*, JP2122355, Published May 10, 1990, [IDS filed April 26, 2001, paper number 14] and US Patent number 4,902,146, *Ishikawa*, Published February 20, 1990.

2. As per claims 90 and 150, *Kiyozumi* discloses a system with a connector for connecting a detachable external device to an information processing apparatus. *Kiyozumi* further teaches wherein a read means [CPU, 1] executes a program for loading a device driver for the connected detachable external device [circuit, etc.]

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connected by said connector. The device driver is for controlling the connected detachable external device. [Note Abstract]

3. *Ishikawa* teaches of a recognition means in a central processing unit that recognizes a connection of a detachable device connected via a connector to said information processing apparatus. *Ishikawa* specifically teaches of a system with a memory option card that incorporates an integrated driver ID - which uniquely identifies a specific card type - that is downloaded via an inherent request from the central processing unit. Applicant points out that if there is no memory card in either connector slots then a resident emulation program is executed and therefore *Ishikawa's* system does not determine the device type of the memory option card. [Applicant's Amendment, paper number 10, page 22 and 23.] The Office agrees with Applicant on this point. However, in Figs. 5a and 5b, *Ishikawa* discloses determining steps: 502/512, 503/514, and 506/517 that determines 1) if there a card in either connector slots – 502/512 and 2) if there is a card in either connector slots what is the kind of card is it - 503/514 and 506/517. Once the specific card type is determined, based on the card ID, specific card information is downloaded from an internal memory and stored in the memory of the information processing apparatus. Therefore, the Office is taking the position that *Ishikawa* does teach of a central processing unit with a recognizing means that recognizes a specific card type connected via a connector. [*Ishikawa*, note abstract, col. 1, lines 47- col. 6, lines 34, See Figs. 1-5b]

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4. It would have been obvious to combine in an information processing apparatus with *Ishikawa's* recognizing means that recognizes a device type, in this case a specific card type, and downloads device specific information from an internal memory of the device to a memory in the information processing unit via a connector to *Kiyozumi's* system that stores device driver information in the internal memory of the connected detachable external device via a connector which enables the information processing apparatus to control the device because it would add flexibility to *Kiyozumi* system by enabling a system to recognize and control multiple device types added without stopping the system.

5. As per claim 28, 159, 179, 199, 219, *Ishikawa* teaches a type recognizing and loading determining means that determines specific device type and depending on the specific device type: 1) select and load data relative to the specific device type [See 5a and 5b] from an internal memory or 2) recognizing the specific device type as an extra memory card and utilized the device as a buffer. The Office is taking the position that *Ishikawa* teaches of determining a specific device type as an emulation card, font card, or a RAM card. Further, if the specific device type is determined to be either the emulation or font card, load device specific information from either card, and if it is a RAM card do not load any data but utilizes the device as a buffer. The load determining means clearly teaches of whether to download device specific data from the connected external device into the information processing apparatus in response to the type recognizing means. One of ordinary skill would readily recognize that by implementing

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the load determining means and type recognizing means in *Kiyozumi's* system which a stores and loads a device driver program, stored internally, to control a specific connected external device, would enable *Kiyozumi's* system to implement specific control functions that are added without stopping the system.

6. As per claim 170, 190, and 210, as pointed out by Applicant in a previous Office Action *Ishikawa's* teaches of a connection recognizing means that determines a connection of a connected external device. Further, the Office took the position of *Ishikawa* having a type recognizing means that determines specific device type and depending on the specific device type select data relative to the specific device type [See 5a and 5b] from an internal memory in the specific device type. *Kiyozumi's* system teaches of storing a device driver in an internal memory and based on a response from a central processing unit downloads the device driver. Therefore, it would have been obvious to one of ordinary skill that the *Kiyozumi-Ishikawa* also teaches the code that is implemented in the information processing apparatus

7. As per claims 151, 155, 162, 166, 171, 175, 182, 186, 191, 195, 202, 206, 211, 215, 222, and 226, it would have been obvious to one of ordinary skill that *Kiyozumi* teaches that the loaded device driver comprises the knowledge/controlling step for controlling the connected external devices.

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8. As per claims 152, 163, 172, 183, 192, 203, 212, and 223, *Ishikawa* teaches wherein said recognition means recognizes the connected device upon supplying power to said apparatus.

9. As per claims 153, 154, 164, 165, 173, 174, 184, 185, 193, 194, 204, 205, 213, 214, 224, and 225, *Ishikawa-Kiyozumi* system discloses that the connected external device comprises either a random access memory (RAM) card and read only memory (ROM) card and recognizes the device type of the connected external device based on data stored in the connected external device.

10. As per claims 156, 157, 167, 168, 176, 177, 187, 188, 196, 197, 207, 208, 216, 217, 227, and 228, official notice is taken that the apparatus comprises a notebook personal computer, an electronic pocket book, or an electronic camera. Further, the apparatus claimed by applicant could be incorporated in *Ishikawa-Kiyozumi* system and not depart from its inventive concept.

11. As per claims 158, 169, 178, 189, 198, 209, 218, and 229, *Kiyozumi* teaches the step of storing the device driver read by said reading step in memory.

12. As per claims 160, 161, 180, 181, 200, 201, 220, and 221, *Ishikawa* teaches wherein said recognition means recognizes whether the device type is a first type, a

second type, or a third type. Further, *Ishikawa* teaches of loading specific device data if said recognition means recognizes the specific device type as either first or second.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Claims 9, 150-152, 154-158, 170-172, 174-178, 190-192, 194-198, 210-212, and 214-218 rejected under 35 U.S.C. 102(b) as being antedated by *Yabumoto*, JP363273954, Published November 11, 1988.

14. As per claims 9, 150, 170, 190, and 210, *Yabumoto* teaches the invention comprising:

a connector [connection between external device 4 and the computer, Fig.1]

a central processing unit comprising:

recognition means for recognizing the device type [signal 401 indicating device type] of the connected detachable device [4] [when the external device 4 is connected to the system, a device type signal 401 is received by the system. As such, the system inherently has means to detect the existence of the signal 401 thereby



determining whether an external device is connected thereto through the connector],  
and

read means to load the device driver from a memory area [1] provided in the system based upon the device type of the detachable external device. [Figs. 1-3, See English Abstract]

15. *Yabumoto* teaches of a system wherein the connection of a detachable external device is recognized and based on that recognition a device driver is selected from a memory area provided in said information processing apparatus. The selected device driver is for controlling the connected detachable external device.

16. As per claims 151, 155, 171, 175, 191, 195, 211, and 215, *Yabumoto* inherently teaches that the loaded device driver comprises the knowledge/controlling step for controlling the connected external devices.

17. As per claims 152, 172, 192, and 212, *Yabumoto* teaches wherein said recognition means recognizes the connected device upon supplying power to said apparatus.

18. As per claims 154, 174, 194, and 214, *Yabumoto* system discloses that the recognition means recognizes the device type of the connected external device based on data stored in the connected external device.

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19. As per claims 156, 157, 176, 177, 196, 197, 216, and 217, official notice is taken that the apparatus comprises a notebook personal computer, an electronic pocket book, or an electronic camera. Further, the apparatus claimed by applicant could be incorporated in *Yabumoto* system and not depart from its inventive concept.

20. As per claims 158, 178, 198, and 218, *Yabumoto* teaches the step of storing the device driver read by said reading step in memory.

### **Conclusion**

The is a non-final Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara R Peyton whose telephone number is 703-306-5508. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, please contact the examiner's supervisor, Jeffrey Gaffin, 301-308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Tammara Peyton  
January 29, 2002

